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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,580	11/01/2001	Yoon Kean Wong	035451-0166 (3704.Palm)	2720
26371	7590	10/04/2007		
FOLEY & LARDNER LLP 777 EAST WISCONSIN AVENUE MILWAUKEE, WI 53202-5306			EXAMINER ELISCA, PIERRE E	
			ART UNIT 3621	PAPER NUMBER
			MAIL DATE 10/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/001,580

Applicant(s)

WONG ET AL.

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 30-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is in response to Applicant's RCE filed on 07/16/2007.
2. Claims 30-57 are currently pending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 30-57 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Mitsugi (U.S. Pat. No. 5,353,023) in view of Kakiyama et al (U.S. Pat. No. 6,959,282).**

**As per claims 30-33 and 35-38 Mitsugi substantially discloses a car (or object) navigation system that is adapted to be installed on a car for estimating a location of the car or object, detecting occurrence of an accident and performing communication data, a location unit for generating car location (or object location) (which is seen to read as Applicant's claimed invention wherein said wireless communications system on the location of the mobile computing device, the system comprising:**

A handheld computer (handheld computer or mobile computing device **or radio communication unit 14A**) device including a wireless transceiver configured to provide wireless communication, a location circuit configured to provide location data based on the location of the mobile computing device, and a data processor configured to receive the location data (see., abstract, col 1, lines 44-68, col 2, lines 37-48, col 3, lines 43-68, col 4, lines 41-54, figs 1A-3).

Mitsugi fails to explicitly disclose wherein said **the pricing system configured to price or sell the insurance product (or company), based on the data (or based on the location of the object or car)**.

However, Kakiyara discloses **a toll (or price)** collection arrangement based on the position and travel of a vehicle. A charging information for the vehicle is created based on the position of a moving body as well as buffer areas and map information, then even if there are detection errors in the detection of the position of the vehicle (see., abstract, col 2, lines 42-62). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the navigation system for cars of Mitsugi by including an insurance product or company that is connected to the navigation system as taught by Kakiyara Murakami since it is an alternate means for acquiring insurance information about the location of a car/object.

**As per claim 34 Mitsugi discloses a car (or object) navigation system that is adapted to be installed on a car for estimating a location of the car or object, detecting occurrence of an accident and performing communication data, a**

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**location unit for generating car location. Therefore, the navigation system of Misugi is capable of providing a weather condition.**

As per claims 39-41 and 43-57 Mitsugi substantially discloses a car (or object) navigation method that is adapted to be installed on a car for estimating a location of the car or object, detecting occurrence of an accident and performing communication data, a location unit for generating car location (or object location) (which is seen to read as Applicant's claimed invention wherein said wireless communications system on the location of the mobile computing device, the system comprising:

A handheld computer (handheld computer or mobile computing device **or radio communication unit 14A**) including a wireless transceiver configured to provide wireless communication, a location circuit configured to provide location data based on the location of the mobile computing device, and a data processor configured to receive the location data (see., abstract, col 1, lines 44-68, col 2, lines 37-48, col 3, lines 43-68, col 4, lines 41-54, figs 1A-3).

Mitsugi fails to explicitly disclose wherein said **the pricing method configured to price or sell the insurance product (or company), based on the data (or based on the location of the object or car).**

However, Kakihara discloses a **toll (or price)** collection arrangement based on the position and travel of a vehicle. A charging information for the vehicle is created based on the position of a moving body as well as buffer areas and map information,

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then even if there are detection errors in the detection of the position of the vehicle (see., abstract, col 2, lines 42-62). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the navigation system for cars of Mitsugi by including an insurance product or company that is connected to the navigation system as taught by Kakiyara Murakami since it is an alternate means for acquiring insurance information about the location of a car/object.

**As per claim 42 Mitsugi discloses a car (or object) navigation method that is adapted to be installed on a car for estimating a location of the car or object, detecting occurrence of an accident and performing communication data, a location unit for generating car location. Therefore, the navigation system of Mitsugi is capable of providing a weather condition.**

#### **RESPONSE TO ARGUMENTS**

5. Applicant's arguments with respect to claims 30-53 have been fully considered but they are not persuasive.

#### **REMARKS**

6. In response to Applicant's arguments filed on 07/16/2007, Applicant's argues that neither reference discloses or suggests:

a. Applicant's newly added limitation wherein said a handheld computer is also disclosed by Mitsugi, see fig 12, item 14A radio communication unit which may be

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constituted by a wireless transceiver type unit which includes a transceiver, a receiver and an automatic sender, and therefore is readable as a wireless handheld device.

b. a system/method for pricing a product based on the location of the mobile computing device. However, the Examiner respectfully disagrees with this assertion because Mitsugi fails to explicitly disclose wherein said **the pricing method configured to price or sell the product (or company), based on the data (or based on the location of the object or car or computing device)**.

Kakihara discloses **a toll (or price)** collection arrangement based on the position and travel of a vehicle. A charging information for the vehicle is created based on the position of a moving body as well as buffer areas and map information, then even if there are detection errors in the detection of the position of the vehicle (see., abstract, col 2, lines 42-62). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the navigation system for cars of Mitsugi by including an insurance product or company that is connected to the navigation system as taught by Kakihara Murakami since it is an alternate means for acquiring insurance information about the location of a car/object.

### ***Conclusion***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00. Patents and hoteling.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571 272 6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 17, 2007

  
PIERRE EDDY ELISCA  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600